

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA

DIVISION  
2006 MAR 28 P 2:32

CEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA.

Alverene D. Butler

Plaintiff(s)

v.

Alabama Dept. of Transportation  
Mark T. Waits, Dist. Engr., in his  
individual and official capacity

Patrick T. Jackson, Supervisor, in his  
individual and official capacity

Joe McInnes, In his official  
capacity

Defendant(s)

2:06CV278-mef

MOTION TO PROCEED IN FORMA PAUPERIS

Plaintiff(s) Alverene Dixon Butler

moves this Honorable Court for an order allowing her/him to proceed in this case without prepayment of fees, costs, or security therefor, and for grounds therefor submits the attached sworn affidavit in support of the motion.

Alverene D. Butler

Plaintiff(s) signature

AO 240 (Rev. 10/03)

## UNITED STATES DISTRICT COURT

Middle  
Alverene D. ButlerDistrict of Alabama

Plaintiff

APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVIT

V.

Alabama Dept. of Transportation  
Mark T. Warts, Dist. Engr., in his  
individual and official capacity, Patrick  
T. Jackson, Supervisor, in his individual and  
official capacity, Defendant Joe McInnes, Director,  
in his official capacity.

CASE NUMBER:

I, Alverene D. Butler declare that I am the (check appropriate box)☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated?
- ☐
- Yes
- ☒
- No (If "No," go to Part 2)

If "Yes," state the place of your incarceration \_\_\_\_\_

Are you employed at the institution? No Do you receive any payment from the institution? No

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed?
- ☐
- Yes
- ☒
- No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

December 22, 2005, approx. \$950.00 a month  
Alabama Dept. of Transportation, 1409 Coliseum Blvd.

3. In the past 12 twelve months have you received any money from any of the following sources?

- |   |   |  |
|---|---|--|
| a. Business, profession or other self-employment  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| f. Any other sources                              | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

AO 240 Reverse (Rev. 10/03)

\$ 950.<sup>00</sup> monthly - Profession - April, 2005 thru Dec., 2005  
 \$ 310.<sup>00</sup> monthly - Disability Retirement - Jan., 2006 to current

4. Do you have any cash or checking or savings accounts?

☒ Yes

☐ No

If "Yes," state the total amount. \$ 150.<sup>00</sup>

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.  
 A. Butler, son - approx. \$ 150.<sup>00</sup> a month

I declare under penalty of perjury that the above information is true and correct.

3-27-06  
 Date

Alvenera D. Butler  
 Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.